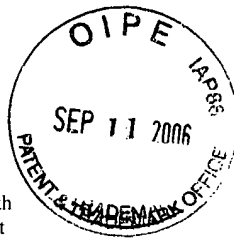


CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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John S. Nagy, Esq., Reg. No. 30,664



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/777,451
Applicants : Lilip Lau, Matthew G. Fishler, Craig Mar
Filed : February 12, 2004
Art Unit : 3762
Examiner : Alyssa M. Alter
Title : CARDIAC HARNESS FOR TREATING CONGESTIVE HEART
FAILURE AND FOR DEFIBRILLATING AND PACING

Docket No.: : PARCR 67465
Customer No. : 24201

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Dear Sir:

This Terminal Disclaimer is submitted pursuant to the Office action mailed August 4, 2006 to which a response is due November 4, 2006.


The owner, Paracor Medical, Inc. ("Paracor"), of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of any patent granted on U.S. Patent Application Serial Nos. 10/656,722 (filed September 5, 2003); 10/793,549 (filed March 3, 2004); 11/002,609 (filed December 2, 2004); and

11/051,823 (filed February 4, 2005), as shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patent applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

The required fee in accordance with 37 C.F.R. § 1.20(d), in the amount of \$65 is enclosed to for the government fee. Please charge any additional fees or credit any overpayment to Deposit Account No. 06-2425. The undersigned is an attorney of record.

Respectfully submitted,

FULWIDER PATTON LLP

By: 
John S. Nagy
Registration No. 30,664

JSN:jeb
Enclosures

Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201
137285.1

Doc Code:

PTO/SB/17 (01-06)

Approved for use through 07/31/2006. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R.

**FEE TRANSMITTAL
for FY 2006**☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** **\$65.00****Complete if Known**

Application Number	10/777,451
Filing Date	February 12, 2004
First Named Inventor	Lilip Lau
Examiner Name	Alyssa M. Alter
Art Unit	3762
Attorney Docket No.	PARCR 67465

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☐ Deposit Deposit Account Number: 06-2425 Deposit Account Name: FULWIDER PATTON LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or any underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid(\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Small Entity**Fee (\$)**

Each independent claim over 3 (including Reissues)

50 25

Multiple dependent claims

200 100

360 180

Multiple Dependent Claims**Total Claims****Extra****Fee (\$)****Fee Paid (\$)**_____ - 20 or HP = _____ x \$9.00 = \$0.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims**Extra****Fee (\$)****Fee Paid (\$)**_____ - 3 or HP = _____ x \$43.00 = \$0.00

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 =	<u>0</u> / 50	<u>0</u> (round up to a whole)	x <u>\$125.00</u>	= <u>\$0.00</u>

4. OTHER FEE(S)

Non-English specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Terminal Disclaimer\$65.00**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	30,664	Telephone	(310) 824-5555
Name (Print/Type)	JOHN S. NAGY, ESQ.		Date	September 6, 2006	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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